



Department of Justice

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HOUSTON AREA MAN CHARGED FEDERALLY FOR DISTRIBUTING AND POSSESSING CHILD PORNOGRAPHY

(HOUSTON) A 24-year old Houston area man, charged with receiving and possessing images of child pornography on his computer, has been arrested by Immigration and Customs Enforcement agents, United States Attorney Don DeGabrielle announced today.

Timothy Alan Fortenberry, 24, was arrested Monday evening at his residence located in Northwest Houston and remains in federal custody pending his appearance before a United States Magistrate Judge later today. The United States will be seeking Fortenberry's continued detention without bond pending his trial on the charges, and expects the court to set a date for a hearing on the government's motion.

The two-count indictment, returned by a federal grand jury on March 5, 2007, accuses Fortenberry of receiving child pornography between January 30 through February 1, 2006, and possessing more than 600 images of child pornography including images depicting prepubescent children, some being just infants, with which adult men engaged in sexual conduct on a computer in October 2006. The investigation leading to the criminal charges against Fortenberry was conducted by special agents of the Houston office of Immigration and Customs Enforcement.

Fortenberry faces a statutory minimum sentence of five (5) years and a maximum of twenty (20) years imprisonment, if convicted of receiving child pornography. The possession of child pornography charge carries a maximum statutory penalty of ten (10) years imprisonment, and up to a life term of supervised release upon conviction. Fortenberry could also be fined a maximum of \$250,000, if convicted of either count.

This case was brought as part of Project Safe Childhood, a nationwide initiative designed to protect children from online exploitation and abuse created and launched in February 2006 by Attorney General Alberto R. Gonzales. Led by the U.S. Attorneys Offices, Project Safe Childhood marshals federal, state and local resources to better locate, apprehend and prosecute individuals who exploit children via the Internet, as well as identify and rescue victims. For more information about Project Safe Childhood, please visit www.projectsafchildhood.gov/.

The case is being prosecuted by Assistant U. S. Attorney Richard Magness.

An indictment is a formal accusation of criminal conduct, not evidence. The defendant is presumed innocent unless and until convicted through due process of law.

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